

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert Stamper, et al.

Attorney Docket No.: ISSCP003

Application No.: 10/528,276

SEP 08 2005

Examiner: Unknown

Filed: March 16, 2005

Group: Unknown

Title: APPARATUS AND METHOD FOR
SURGICAL BYPASS OF AQUEOUS HUMOR

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on September 6, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Valerie Olsen

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Offices mailed July 22, 2005(copy enclosed), applicants claim small entity status (see 37 CFR 1.27) and submit herewith the following:

- ☒ Payment of the surcharge of \$65.00 for late filing of the declaration; and
- ☒ A Declaration For Original U.S. Patent Application in compliance with 37 CFR §1.63;
- ☒ A Power Of Attorney By Assignee And 37 C.F.R. 3.73 Statement;
- ☒ Second Preliminary Amendment;
- ☒ Assignment Recordation Sheet and Assignment; and
- ☒ A check in the total amount of \$105.00 is attached.

09/14/2005 GFREY1 00000109 10528276

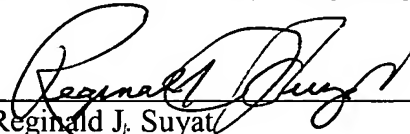
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It is understood that this perfects the application and no additional papers or filing fees are required. The Commissioner is authorized to charge any additional fees that may be due to our Deposit Account No. 500388 (Order No. ISSCP003).

Dated: _____

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Reginald J. Suyat
Registration No. 28,172

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08 SEP 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,276	Robert Stamper	ISSCP003

INTERNATIONAL APPLICATION NO.

PCT/US03/29488

LA. FILING DATE	PRIORITY DATE
09/17/2003	09/17/2002

022434
 BEYER WEAVER & THOMAS LLP
 P.O. BOX 70250
 OAKLAND, CA 94612-0250

CONFIRMATION NO. 4914

371 FORMALITIES LETTER



OC000000016591391

Date Mailed: 07/22/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/16/2005
- Copy of the International Search Report filed on 03/16/2005
- Preliminary Amendments filed on 03/16/2005
- Small Entity Statement filed on 03/16/2005
- Request for Immediate Examination filed on 03/16/2005
- U.S. Basic National Fees filed on 03/16/2005
- Priority Documents filed on 03/16/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,276	PCT/US03/29488	ISSCP003

FORM PCT/DO/EO/905 (371 Formalities Notice)